

To: PLANNING AND ENVIRONMENT COMMITTEE	Subject: Scottish Executive Consultation Draft: Scottish Planning Policy 21 Green Belts
From: DIRECTOR OF PLANNING AND ENVIRONMENT	
Date: 16 November 2005	Ref: SG/41/01

1. Purpose of Report

- 1.1 To inform Committee of the proposals included within the Scottish Executive's recently published Consultation draft of SPP 21 Green Belts and to set out the Council's response to the Executive on this key policy document.

2. Background

- 2.1 Over the last couple of years the Scottish Executive has been updating, revising and amalgamating its series of former Circulars, Planning Advice Notes (PANs) and National Planning Policy Guidelines, the later of which are now known as Scottish Planning Policies (SPPs). In August 2005, *SPP 21 Green Belts* was published in Consultative Draft form, with comments from interested parties, being sought by 28th October 2005.
- 2.2 National policy on Green Belt since 1985 has been based upon *Scottish Office Circular 24/1985: Development in the Countryside and Green Belts*. However, it is recognised that the economic, social and environmental context underpinning this policy has changed somewhat over the intervening period. This is supported by the findings of a research project entitled "Review of Green Belt Policy in Scotland", carried out on behalf of the Executive between Sept 2003 and March 2004. This suggested that Green Belt policy was overdue a review and that there was considerable variation in how Green Belts had operated in practice within Scotland.
- 2.3 As a result of this changing context, the Scottish Executive has recognised the need to update and revise its policy advice on Green Belts. When finalised, SPP 21 will replace *Scottish Office Circular 24/1985: Development in the Countryside and Green Belts*. (It should be noted that policy in that Circular on development in the countryside has been superseded by *SPP 3: Planning for Housing* and *SPP 15: Rural Development*). Once completed the SPP will influence the emerging Development Plan, including the North Lanarkshire Local Plan.

3. Sustainability Implications

- 3.1 Green Belt policy has been a key driver in encouraging urban regeneration and brownfield development for more than 25 years. The designation of Green Belts has generally discouraged inappropriate development outwith the conurbation's major urban areas and has helped to provide a more sustainable settlement pattern, focusing development at more centralised locations which are at the heart of public transport networks. The revised policy advocated through SPP 21 offers a continuation of this philosophy albeit updated to take account of changing economic, social and environmental needs. The new SPP 21 will therefore continue to support the Council's aspirations to achieve a more sustainable pattern of development across North Lanarkshire.

4. Overview and Key Principles

- 4.1 According to the SPP, Green Belts are areas of land designated for the purpose of managing the shape of a town or city in the long term, to meet three key objectives, which are to:-
- direct planned growth to the most appropriate locations and support regeneration;
 - protect and enhance the character, landscape setting and identity of towns and cities; and
 - protect and give access to open space within and around towns and cities, as part of the wider structure of green space.
- 4.2 The SPP also makes it clear that Green Belts are only one of a range of mechanisms that can shape our towns and cities. Others include policies relating to regeneration, housing, sustainable transport, retailing, urban design, landscape and nature conservation, as well as open space, green network and access.
- 4.3 Green Belts can take a variety of forms depending on local circumstances, not only encircling settlements but also forming buffers, corridors, or wedges. The policy is to be used to direct development to suitable locations, not to prevent it happening in general. The policy should also help to enhance the quality of life for local people by:-
- providing a range of opportunities for outdoor recreation;
 - providing access to the countryside;
 - protecting and enhancing biodiversity; and
 - conserving the historic environment.
- 4.4 Green Belts have a particular benefit in the planning of areas where there is a demand for development and where co-ordination is required across local authority boundaries, as is the case within the Glasgow and the Clyde Valley Joint Structure Plan area. While Green Belt policies are seen as enabling managed growth in certain circumstances, Ministers do not see SPP 21 leading to the creation of many new Green Belts, as most settlements should be able to achieve the desired effect through the application of other policies.

5. Role of the Development Plan

- 5.1 The establishment and review of Green Belts is a fundamental part of an area's long term settlement strategy. In the current system, structure plans consider the need for and review of Green Belt boundaries while local plans define their precise boundaries. Under proposed changes to the development plan system, it will be the role of new local development plans to establish both the requirement for and definition of Green Belts. However, in the case of the 4 city regions, including the Glasgow conurbation, strategic development plans will consider the issue of need.
- 5.2 The SPP proposes that Green Belts should have a timeframe of at least 20 years with boundaries drawn to accommodate planned long-term growth, thus avoiding cumulative erosion through the granting of individual planning permissions. Moreover, boundaries should be clearly identifiable on the ground and relate to strong visual or physical features such as rivers, roads, tree belts or major landscape features. The use of hedges and field enclosures as boundaries is generally discouraged, as these do not prove to be sufficiently robust or enduring. Planning for the longer term also ensures that future development can be better managed and allows for the advanced planning of transport, healthcare, education and infrastructure.
- 5.3 For proposed areas of Green Belt release the SPP advocates that local authorities work with a range of stakeholders, including landowners, developers, infrastructure providers, public agencies and surrounding communities to agree a master plan for the area's development.

6. Development Management

- 6.1 In line with existing policy, the draft SPP continues with a “strong” presumption against new development in the Green Belt, with development plans defining those land uses appropriate to a Green Belt setting. These include:-
- Agricultural uses, including the re-use of historic agricultural buildings in keeping with their surroundings;
 - Woodland and forestry, including community woodlands;
 - Horticulture, including market gardening (but not retailing unconnected with or out of scale with this purpose); and
 - Recreational uses compatible with an agricultural or natural setting e.g. golf courses, some equestrian uses, fisheries, cycling facilities, walking, parks and playing fields.
- 6.2 In addition, the SPP emphasises the need for development to be of a suitable scale and form for the location. Thus many uses will only be appropriate where they are low intensity and any built elements are ancillary to the main use, small scale and of a high quality design. In considering such proposals, Designing Places and its related PANs are particularly relevant.
- 6.3 More detailed advice contained within the SPP indicates that existing settlements and major educational and research establishments, as well as major business and industrial operations and airports should be excluded from Green Belts to allow for growth and change. Regarding proposals for non-conforming uses, the SPP suggests that existing institutions may be redeveloped where they are no longer needed for their original purpose (this should be undertaken within the existing building envelope).
- 6.4 As per the current system, Green Belt applications that do not conform to the development plan will require to be notified to the Scottish Executive and may be subsequently called in.
- 6.5 Protecting designated land from inappropriate forms of development is only one aspect of Green Belt policy. The other concerns the means by which such land can be positively managed or enhanced for the benefit of the wider community, with the SPP promoting a range of mechanisms such as Greenspace Trusts and partnerships to focus action on enhancing the quality and use of Green Belt land.

7. Suggested Response

- 7.1 In general terms the overall thrust of the new SPP on Green Belts, which provides a long overdue revision of the 24/1985 Circular, to meet today's economic, social and environmental agenda is welcomed. The Executive's revised thinking on Green Belt policy is now explicitly identified as a long-term management tool, giving certainty over a 20-year timeframe. This should help provide clarity and certainty over the future scope for developing the urban areas of North Lanarkshire and avoid the incremental erosion of the Green Belt that has happened through the determination of planning applications and appeals, especially in locations lacking up-to-date local plan coverage.
- 7.2 The draft SPP also appears to be consistent with the strategic approach to Green Belt currently being pursued by the Council and its partner authorities as part of the Glasgow and the Clyde Valley Joint Structure Plan. This also sees Green Belt as a strategic planning tool designed to manage long term urban growth across the Glasgow Conurbation. While the Council is pleased to see the adoption of a similar approach within the SPP can be supported, a number of significant concerns exist over the mechanism whereby this is to be achieved.
- 7.3 The principal concern relates to statements within the SPP suggesting that future development growth areas be excluded from the Green Belt. While the Executive argue that this will enable the phased release of land, and allow for early planning of infrastructure, the SPP gives no practical guidance as to the mechanism for controlling development within these future release

areas. Without the provision of greater certainty, the SPP is incomplete and there is a danger that planning authorities could adopt very different policy approaches to these non-Green Belt areas, leading to confusion and inconsistency over how these areas are defined and how future development proposals on them are considered.

- 7.4 The absence of guidance in the draft SPP on how the development plan can set out a suitable context within which the release of Green Belt land can be structured and managed is a major shortcoming. The result is likely to be a weakening of policy as the development industry shift emphasis from difficult urban regeneration sites towards the new release areas. This would seriously undermine the long term planning of the Green Belt release areas that are currently being promoted through the Structure Plan, several of which are in North Lanarkshire.
- 7.5 Regarding the management and improvement of the Green Belt, the SPPs positive approach can be endorsed, and there is welcome recognition of the role that Greenspace Trusts and other initiatives can make in enhancing the quality and use of the Green Belt, especially within the wider context of Green Networks.
- 7.6 While this report sets out key observations on the draft SPP, a number of more detailed comments to the Scottish Executive are provided within Appendix 1 that accompanies this report.

8. Corporate Considerations

- 8.1 Once the draft SPP has been finalised, the Council will be required to take account of its content in the drafting of future planning policy relating to the Green Belt. This will include a full review of current Green Belt Boundaries as part of the emerging North Lanarkshire Local Plan, taking account of the area's longer-term needs as established in the Glasgow and the Clyde Valley Joint Structure Plan. In addition, in assessing planning applications within the Green Belt, decisions made by the Council through the Statutory Development Control System (soon to be known as Development Management) System will also require to be consistent with the provisions of the SPP.

9. Recommendations

- 9.1 It is recommended that the committee:
- (a) Notes the main provisions of Draft SPP 21 referred to in this report, and
 - (b) Agrees to respond to the Scottish Executive in terms of the main points set out within this Report and the more detailed comments outlined within the accompanying Appendix 1.



David M. Porch
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(13th October 2005)

Local Government Access to Information Act: for further information about this report, please contact Stevan Gilchrist , on 01236 616246

Background Paper: Scottish Executive: Consultative Draft SPP 21 Green Belts

Appendix 1 North Lanarkshire Council

Comments on the Consultation Draft Scottish Planning Policy 21: Green Belts

Introduction

The following comments should be read in conjunction with the above Committee Report and represent the Council's detailed observations on the content of the Draft SPP 21 on Green Belts. They are referenced according to the paragraph numbers contained within the draft SPP.

DETAILED COMMENTS

The Changing Context

The need to address the changing social, economic and environmental agenda by updating and revising national policy relating to Green Belts, one of the most widely recognised and understood (often incorrectly) planning concepts, is acknowledged.

Para 3: It is agreed that a shift towards a service-based economy has meant that high quality environments and accessible locations have become increasingly important. However, while it is agreed that this results in pressure for new development at edges of settlements, the SPP should also indicate that these pressures could equally be accommodated within more accessible locations such as town centres.

Para 3: Reference to the regeneration of disadvantaged communities and the re-use of vacant urban land as key priorities is also welcomed as North Lanarkshire Council is keen to tackle issues relating to social inclusion and environmental justice. However, the SPP could make it clearer that the application of a successful Green Belt policy has a key role to play in the regeneration of disadvantaged communities and in stimulating the take-up of vacant and derelict land by directing development away from more unsustainable locations.

Para 4: It is agreed that robust tools are needed to manage change in our towns and cities, later comments regarding the means by which long term areas of Green Belt release can be adequately managed question whether the SPPs policies are suitably robust to achieve this objective.

SPP Objectives/Related Mechanisms

Para 5: It is agreed that in certain locations existing Green Belts are not providing long-term certainty and have been frequently undermined by piecemeal development control decisions. This highlights the need for change in the Green Belt policy to ensure that the policy is more robust and meets the needs of North Lanarkshire and other local authorities by being underpinned by a long-term development strategy which accommodates growth at suitable locations.

Para 6: The three key objectives of Green Belt set out in the SPP are supported. It is also noted that the function of preventing coalescence has been explicitly removed from the objectives, presumably since this is now covered by the broader objective of protecting the character and landscape integrity of towns and cities.

Para 7: The inclusion of details on the range of mechanisms which also help to shape the development of our towns and cities is also welcomed as this shows that Green Belt should not be seen as an isolated policy tool.

ROLE AND FUNCTION OF GREEN BELTS

What is a Green Belt?

Para 9: The recognition that Green Belts can take a variety of forms including corridors, buffers and wedges is useful in that it gives greater insight into the true function of Green Belts at different locations. The clarification that this provides is welcomed as this emphasises that it is the function of a Green Belt that is important, not its shape.

Para 10: The role that the Green Belt can play in improving the quality of life for local residents is often under-estimated, and the need to positively manage the Green Belt effectively to maximise the potential benefits that can be accrued is recognised. Highlighting the role of the Green Belt in protecting biodiversity and conserving the historic environment is particularly welcomed.

Where should Green Belts be designated?

Para 12: The SPP states that for Towns and Cities with a distinct character and identity that could be harmed by unplanned growth then the use of Green Belt policy might help to manage that growth more effectively. This appears to suggest that in the case of settlements that do not have a distinctive character, Green Belt might not be a suitable tool. However, as all settlements have the potential to be harmed by unplanned growth, clarification is sought on the circumstances where Green Belt should be applied. The paragraph goes on to suggest that most settlements do not need Green Belts. However, apart from a number of more rural communities, most of the 42 settlements within North Lanarkshire are surrounded by Green Belt as are the majority of settlements within the Glasgow and the Clyde Valley Joint Structure Plan Area. It is suggested that the paragraph should be reworked to clarify the extent of present Green Belt coverage and to indicate that most of this text relates to new proposals to designate Green Belt.

Within the context of Para 12 there is concern over the statement that Ministers do not expect to see new Green Belts being designated. It is for structure and local planning authorities within the context of national guidance to consider the need for Green Belts, not the Scottish Ministers. It is suggested therefore that this reference be removed or qualified to exclude the central belt of Scotland.

Settlement Patterns

Para 13: Reference is made to SPP 17 Planning for Transport which seeks to promote a more sustainable pattern of urban growth, through reduced dependence on car travel and encouraging a modal shift towards public transport. However, emphasising that growth on the urban fringe or in a development corridor may offer the most sustainable solution should be qualified to indicate that these locations may not always be the most sustainable. Moreover, it could also be suggested that in some circumstances, new planned settlements might also offer a sustainable solution to accommodating future requirements, and it is not clear why this possibility has not been addressed by the SPP.

DEVELOPMENT PLANNING

Boundaries and Timeframes

Para 16: The approach, which seeks to achieve greater certainty over future Green Belt boundaries, is endorsed. However, there are a number of fundamental issues that require to be addressed by the Executive to ensure that the SPP provides a suitably robust policy framework within which this can be achieved. The principal concern relates to statements within the SPP suggesting that future development growth areas be excluded from the Green Belt.

While the Executive argue that this will enable the phased release of land, and allow for early planning of infrastructure, the SPP gives no practical guidance as to the mechanism for controlling development within these future release areas. Without the provision of greater certainty, the SPP is incomplete and there is a danger that planning authorities could adopt very different policy approaches to these non-Green Belt areas, leading to confusion and inconsistency over how these

areas are defined and how future development proposals on them are considered. Where joint working arrangements exist, as per the Glasgow and Clyde Valley Structure Plan, the SPP should offer guidance that seeks to encourage a consistent policy approach towards the Green Belt.

While paragraph 16 suggests that inner Green Belt boundaries should not be drawn too tightly (to accommodate planned growth), this contradicts later advice that boundaries should be clearly identified on the ground using strong visual or physical features. If these dictate that some boundaries be tightly drawn as part of a full Green Belt review then so be it.

It is also likely therefore that in many cases it will no longer be the Green Belt that defines the urban areas, but some other policy designation whereby land will require to be zoned on a temporary basis (albeit lasting up to 20 years). This raises concerns that this will give rise to expectation for development in such areas between long term Green Belt boundaries and the urban edge. This will require the application of strong policies to ensure their long-term protection and allow for their phased release.

Para 17: The Council would like to highlight the danger in pushing boundaries out to the nearest defensible edges. As part of a review of Green Belt boundaries this could cumulatively undermine the character, landscape setting and identify of towns. Moreover, whilst the intent of ensuring that boundaries are defensible is supported, there may be circumstances where artificial/man-made boundaries are the only practical solution.

Para 18: The monitoring and review of development plans will become fundamental in ensuring that sufficient land is set aside to meet future requirements for housing, business and industry, and other land uses which cannot be accommodated within the urban area.

DEVELOPMENT MANAGEMENT

Appropriate Uses in Green Belts

Para 20: The statement that there will continue to be a strong presumption against new development in the Green Belt is welcomed, although it might be prudent to qualify that this is a presumption against inappropriate development, as clearly some forms of development will be acceptable. While the 4 categories of uses that are highlighted are generally acceptable, the SPP could have addressed renewable energy and telecommunications developments within the Green Belt. Instead the text leaves it up to planning authorities through development plans to establish whether other uses might be suitable to a Green Belt setting. Without further guidance on what other uses are being referred to, there is a danger that proposals for certain uses could be determined in an inconsistent manner.

Para 21: This paragraph appears to be slightly misleading stating that “many uses will only be appropriate when their intensity is low and their quality high”. If this were to be applied to say housing then it could be used as a means of justifying a series of one off developments which could incrementally undermine the integrity of the Green Belt. It would be useful therefore for the text to make it clear that this only relates to the limited range of acceptable uses listed in the SPP and set out by Councils in their development plans.

Para 22: The SPP recognises that much of the land within Green Belts is rural in nature and that SPP 15 Planning for Rural Development is therefore relevant, especially in the context of rural diversification. However, there would appear to be some inconsistency between these documents as SPP 15 (para 10) suggests that “*in more heavily populated areas there is potential to accommodate some small scale housing development and businesses may be able to diversify into new activities*”. Clarification is therefore required as to whether these uses are to be promoted within Green Belt locations or whether this statement does not apply to Green Belt locations, but only to RIA locations.

Treatment of Established Uses

Para 23: Although the SPP makes it clear that existing settlements should be excluded from the Green Belt, clarification is sought over what constitutes a settlement. Does this represent a

community of a particular size, since clearly it will be very difficult to identify suitable boundaries for very small settlements, particularly in the context of paragraph 17 which suggests that boundaries should be clearly identifiable, using strong physical features. Similarly, whilst the logic of removing major business, educational and research uses from the Green Belt is sound, there is a concern over what size major relates to. Should this relate to the size thresholds within the Glasgow and the Clyde Structure Plan for instance? It is suggested that the SPP provides further clarification on this issue.

Proposals for Non Conforming Uses

Para 24: Clarification provided within the SPP is welcomed, whereby proposals which are not consistent with a Green Belt designation may be considered as national priorities or to meet an established need. This approach is consistent with that operated within the Glasgow and the Clyde Structure Plan that allows for the consideration of proposals which are potential departures from the development plan.

Para 25: The SPP appears to suggest a presumption in favour of the redevelopment of existing institutions in large grounds that are no longer needed for their original purpose, with the key concern being the extent to which this allows for the successful retention of existing listed buildings. However, there is no consideration as to whether the location is a sustainable one in the context of SPP 17 Planning for Transport. It therefore appears that this presumption in favour of development requires to be tempered by other policy considerations.

While there may be circumstances where institutions can be redeveloped for alternative uses, the SPP seems to be at odds with SPP 17, promotes sustainable development locations. In circumstances where institutions are remote for public transport networks it may be that their redevelopment should not be supported. The SPP therefore requires to be revisited to consider whether the presumption in favour is actually necessary.

Departures from the Development Plan

Para 27: A continuation of the present position whereby applications within the Green Belt that do not conform to the development plan require to be referred to the Ministers for their consideration is noted.

MANAGING THE GREEN BELT RESOURCE

Paras 28 to 30: The SPPs positive approach is endorsed, and recognition of the role that Greenspace Trusts and other initiatives can make in enhancing the quality and use of the Green Belt, especially within the wider context of Green Networks is welcomed.